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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,590	02/28/2002	Brian F. Ruff	1528.031US1	9015

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EXAMINER

MATZ, DANIEL R

ART UNIT PAPER NUMBER

3641

DATE MAILED: 01/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/086,590

Applicant(s)

RUFF ET AL.

Examiner

Daniel Matz

Art Unit

3641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18-30 is/are rejected.
- 7) ☒ Claim(s) 15-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 9-11, 13, and 21-27 rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,257,897 granted to Kubota for the same reasons as stated in Section 2 of the Office Action dated August 6, 2003.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8, 12, 14, 18-20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota in view of USPN 4,493,146 granted to Cronin for the same reasons as stated in Section 4 of the Office Action dated August 6, 2003.

5. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 4,736,910 granted to O'Quinn et al., in view of Kubota.

Regarding claim 28, O'Quinn et al. disclose (see abstract, col. 8, lines 25-30, etc.) an aircraft with an avionics instrument system comprising: an avionic module adapted to process avionic data; a separate display unit adapted to display at least a

portion of the avionic data and coupled to the avionic module by at least one communication line. O'Quinn et al. do not disclose a display unit moveable from a first location adjacent the module to a second location apart from the module or a flexible guide. Kubota teaches a flexible guide (fig. 4) which would allow connection of a display unit and movement of the display unit from a first location adjacent the module to a second location apart from the module in order to facilitate connection of the wiring to the display unit.

Regarding claim 29, O'Quinn et al. disclose a number of modules coupled to one or more display unit(s).

Regarding claim 30, O'Quinn et al. disclose the use of a generic display device (col. 8, lines 29-30). A flat panel screen is a display device and thus would have been an obvious variation.

#### ***Allowable Subject Matter***

6. Claims 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

7. Applicant's arguments filed 11/7/03 have been fully considered but they are not persuasive.

Applicant's argument (page 7 of the amendment) that Kubota discloses a flexible guide that can be bent, folded, or twisted, and thus does not meet applicant's claims, fails for two reasons. First, applicant uses the phrase "substantially a two dimensional

plane" in the independent claims. The guide of Kubota clearly limits movement to substantially a two dimensional plane, since the hinges will tend to keep the guide in a two dimensional plane. Note that the term "substantially" has been held to be broad. See MPEP 2173.05(b) D. Second, the examiner notes that element 34 of Kubota, by itself, meets the independent claims. Element 34 has no hinge and thus is not subject to bending, folding, or twisting.

Applicant's argument (page 8) that Cronin does not show a display separate from an avionic module is not clearly supported from Cronin. The instrument of Cronin is clearly connected by wiring to some other device. In the generic sense, an instrument could be a display device. Further, connecting two devices together with wiring is considered obvious and well known in the vehicle wiring art, and thus supported by Cronin.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

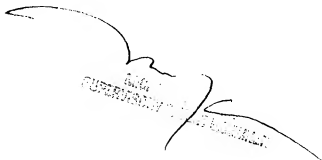
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Matz whose telephone number is (703) 306-4164. The examiner can normally be reached on Mon-Thurs, alt Fri 7:30am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on (703) 306-4198. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4180.

DM

January 15, 2004

A handwritten signature in black ink is written over a circular stamp. The stamp contains the text "RECEIVED" at the top, "JAN 15 2004" in the center, and "FBI/DOJ" at the bottom. The signature is a stylized, cursive-like mark.